

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)	
)	
of the Educator Certificate of)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Bradley L. Fowler)	
)	
Certificate 904338)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 14, 2005. On November 14, 2005, the Department of Education (Department) sent Bradley L. Fowler a notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Fowler received the notice, as evidenced by the signed postal receipt bearing his signature. Mr. Fowler did not request a hearing within the time frame specified in the notice letter. After considering the information presented, the State Board voted to suspend Mr. Fowler's certificate for one year.

FINDINGS OF FACT

Mr. Fowler holds a valid South Carolina educator's certificate and has over four years of teaching experience. Mr. Fowler was under contract for the 2005-06 school year with Anderson District One and Two Career and Technology Center and was assigned as Electricity/Electronics Instructor. On September 22, 2005, Mr. Fowler notified his Director that he was resigning his position, effective October 7, 2005. The Director informed Mr. Fowler that he would not be released from his contract, but Mr. Fowler did not report to work after October 7, 2005. On October 13, 2005, the District Board of Trustees voted to request the suspension of Mr. Fowler's certificate by the State Board of Education as a result of his breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that the information presented supports its determination that just cause exists to suspend Mr. Fowler's certificate 904338 for a period of one year, from December 14, 2005, through December 13, 2006. Should Mr. Fowler wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina

December 14, 2005